



MARILYN BURGESS

HARRIS COUNTY DISTRICT CLERK

February 25, 2019

HONORABLE GREG GLASS
208TH DISTRICT COURT
HARRIS COUNTY

FILED IN
14th COURT OF APPEALS
HOUSTON, TEXAS
2/25/2019 10:50:13 AM
CHRISTOPHER A. PRINE
Clerk

Defendant's Name: JOHN WESLEY BALDWIN

Cause No: 1527611

Court: 208TH DISTRICT COURT

Please note the following appeal updates on the above mentioned cause:

Defendant's Notice of Appeal on motion only- filed date: 1/31/19 Ruling Made:
GRANTED 1/11/19

**Court of Appeals Assignment: Fourteenth Court of Appeals
Appeal Attorney of Record:**

Sincerely,

"/s/ Bijana Williams
Criminal Post Trial Deputy

CC: Kim Ogg
District Attorney
Appellate Division
Harris County, Texas

CHERYL PIERCE (DELIVERED VIA E-MAIL)
208TH DISTRICT COURT (DELIVERED VIA E-MAIL)

This is your notice to inform any and all substitute reporters in this cause.

Cause Number 1527611

THE STATE OF TEXAS § IN THE 208TH DISTRICT COURT
V. § OF
JOHN WESLEY BALDWIN § HARRIS COUNTY, TEXAS

NOTICE OF APPEAL

COMES NOW THE STATE OF TEXAS, by the undersigned District Attorney, and pursuant to TEX. CODE CRIM. PROC. art. 44.01, files this notice of appeal from the trial court's order granting the defendant's motion to suppress evidence in cause number 1527611. That order was signed by the Court on January 11, 2019. The State would respectfully show the Court the following:

I.

On September 27, 2018, the defendant filed a motion to suppress evidence in cause number 1527611. On January 11, 2019, following a hearing on the defendant's motion to suppress, this Court granted the defendant's motion. The State respectfully submits that the Court erred in granting the defendant's motion to suppress evidence and seeks review of that order by the Court of Appeals.

II.

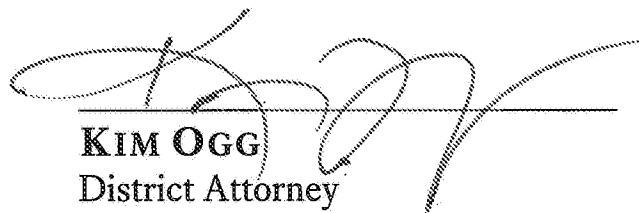
The underlying criminal proceedings are currently pending, and jeopardy has not attached in the case. The State requests a stay in the underlying criminal proceedings pending the disposition of this appeal, pursuant to TEX. CODE CRIM. PROC. art. 44.01(e).

III.

I certify to this Court that this appeal is not taken for the purpose of delay and that the evidence is of substantial importance in the case.

THEREFORE, the State respectfully asserts that the Court erred in granting the defendant's motion to suppress evidence in cause number 1527611, and it hereby gives notice of appeal from that order to the Court of Appeals.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Kim Ogg", is written over a horizontal line.

KIM OGG
District Attorney
Harris County, Texas
500 Jefferson Street, Suite 600
Houston, Texas 77002
(713) 274-5800

CERTIFICATE OF SERVICE

This is to certify that the undersigned counsel has served a true and correct copy of this notice upon the Defendant and his counsel via the electronic filing manager, with which the following email addresses of the Defendant's counsel are on file, on the date of the filing of the original with the clerk of this Court:

Robert A. Scardino
Attorney at Law
4801 Woodway Dr. #165-E
Houston, Texas 77056
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Brian M. Roberts
Attorney at Law
116 S. Avenue C
Humble, Texas 77338
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/s/ Travis Dunlap
TRAVIS DUNLAP
Assistant District Attorney
Harris County, Texas
500 Jefferson Street, Suite 600
Houston, Texas 77002
(713) 274-5826
State Bar No. 24069645
dunlap_travis@dao.hctx.net

Date: January 31, 2019

APPEAL CARD

COURT 208th

CASE NUMBER 152761101010

THE STATE OF TEXAS

VS

BALDWIN, JOHN WESLEY

DATE NOTICE OF APPEAL 02/01/2019

JUDGE PRESIDING DENISE COLLINS

COURT REPORTER CHERYL PIERCE

COURT REPORTER

COURT REPORTER.

ATTORNEY ON TRIAL· ROBERTS, BRIAN M

ATTORNEY ON APPEAL

☐ APPOINTED OR ☐ HIRED

OFFENSE CAPITAL MURDER

JURY TRIAL ☐ YES OR ☒ NO

PUNISHMENT ASSESSED

COMPANION CASES (IF KNOWN)· N/A

AMOUNT OF APPEAL BOND

APPELLANT CONFINED ☒ YES OR ☐ NO

DATE SUBMITTED TO APPEAL SECTION 02/01/2019

DEPUTY CLERK· B JONES